

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TYSHON MALEKE HARMON, ) No. C 10-4053 LHK (PR)  
Plaintiff, ) ORDER DENYING  
v. ) PLAINTIFF'S MOTION TO  
DOCTOR RICHARD MACK, et al., ) COMPEL DISCOVERY  
Defendants. ) (Docket No. 51)

Plaintiff, a state prisoner, filed the instant *pro se* prisoner complaint under 42 U.S.C. § 1983. Before the Court is Plaintiff's motion to compel discovery. The Court may grant a motion to compel discovery only after Plaintiff satisfies the "meet and confer" requirements of the discovery rules. *See Fed. R. Civ. P. 37(a)(2)(A)* (providing that a motion to compel must include certification that movant has in good faith conferred and attempted to confer with non-disclosing party in effort to secure disclosure without court action); N.D. Cal. Civ. R. 37-1 (same). Because Plaintiff is detained, however, he is not required to meet and confer with Defendants in person. Rather, if his discovery requests are denied, and he intends to seek a motion to compel, he must send a letter to Defendants to that effect, offering them one last opportunity to provide him with the sought-after information. Here, Plaintiff has not filed the requisite certification showing that he has met and conferred with Defendants about their non-disclosure. Plaintiff's to compel will be DENIED without prejudice as premature.

1 IT IS SO ORDERED.  
2 DATED: 7/1/11

  
LUCY H. KOH  
United States District Judge